

09-24-01

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jc961 U.S. PTO
09/21/01

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

☐ Duplicate
(check, if applicable)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 10312-7 (053836-5001)

First Named Inventor: Ross

Express Mail Label No. EL719362045US

Total Pages of Transmittal Form: 2

jc973 U.S. PTO
09/961086
09/21/01

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA WHICH
ENCODES IT**

which is:

an ☐ Original; or

a ☐ Continuation, ☒ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. 09/245,808 filed FEBRUARY 5, 1999.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

☐ This non-provisional patent application is based on Provisional Patent Application No. _____, filed _____.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 53 pages.
- ☐ Application Data Sheet.
- ☐ Newly executed/unexecuted Declaration (original/copy).
- ☒ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ [22] sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☒ Computer readable copy ☒ Paper Copy ☒ Verified

Statement.

- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: University of Maryland Baltimore
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith or ☐ in prior application &@.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☒ Preliminary Amendment.
- ☒ Information Disclosure Statement and PTO-1449.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☐ Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$355			BASIC FEE: \$710	
Total	7-20 =	0	X9	\$	OR	X18	\$
Independent	1- 3=	0	X40	\$	OR	X80	\$
[] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$
			TOTAL	\$ 355.00	OR	TOTAL	\$

- [] **The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.**
- [X] A check in the amount of \$355.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 503836-5001)** as noted below. A duplicate copy of this sheet is enclosed.
- [X] Any overpayments or deficiencies in the above-calculated fee.
- [] Filing fee in the amount of \$_____ as calculated above.
- [X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

ROSS, et al.

By:

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KD/kck

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Ross, <i>et al.</i>	: Group Art Unit Not Yet Assigned :
Appln. No.:	Filed Herewith	: Examiner: Not Yet Assigned :
Filed:	Herewith	: :
For:	BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA ENCODES IT	: Attorney Docket : No. 53836-5001

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (X) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 C.F.R. §1.821(c)** and **(e)**, respectively are the same.
- () I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(g)** does not include new matter.
- () I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- () I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages &@. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

ROSS, et al.

September 21, 2001
(Date)

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Enclosures